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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/938,294	08/24/2001	Gregory J. Hinkle	16517.253

CONFIRMATION NO. 1056

FORMALITIES LETTER



OC00000006955488

28381
ARNOLD & PORTER
IP DOCKETING DEPARTMENT; RM 1126(b)
555 12TH STREET, N.W.
WASHINGTON, DC 20004-1206

Date Mailed: 10/23/2001



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$320.
 ▪ \$320 for 4 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1160.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

ARNOLD & PORTER

202.942.5000
202.942.5999 Fax
555 Twelfth Street, NW
Washington, DC 20004-1206



December 20, 2001

Box Missing Parts

Commissioner for Patents
Washington, DC 20231

Re: U.S. Application No. 09/938,294
Filed: August 24, 2001
Title: Novel Plant Transcribed Regions and Uses Thereof
Inventors: HINKLE *et al.*
Atty. Docket: 16517.253

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. a Response to Notice to File Missing Parts of Nonprovisional Application;
2. a copy of the Notice to File Missing Parts of Nonprovisional Application;
3. a copy of a Combined Declaration and Power of Attorney, executed by Gregory J. Hinkle (3 pages);
4. an original Combined Declaration and Power of Attorney, executed by Jingdong Liu (3 pages);
5. an original Combined Declaration and Power of Attorney, executed by Linda T. Parker (3 pages);
6. an Information Disclosure Statement;
7. Form PTO-1449 with 8 accompanying references;
8. a return postcard; and
9. Check No. 147738 in the amount of \$1,206.00 for:

Application filing fee	\$ 740.00
Additional claims fee	336.00
<u>Fee for late submission of Declaration</u>	<u>130.00</u>
Total	\$1,206.00

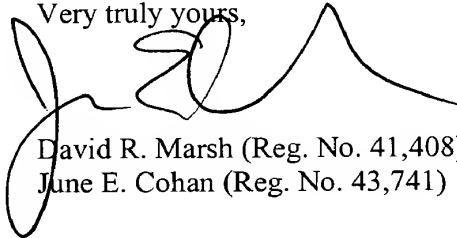
ARNOLD & PORTER

Commissioner for Patents
Appl. Serial No.: 09/938,294
December 20, 2001
Page 2

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

Applicants do not believe that any fees other than the application filing fee, the additional claims fee, and the fee for late submission of Declaration (\$1206) are due in conjunction with this filing. If, however, any additional fees are due in conjunction with this filing, including any extension of time fees required to prevent abandonment, then such extension is hereby petitioned and the Commissioner is hereby authorized to charge the fees to Arnold & Porter Deposit Account No. 50-1824 referencing docket number 16517.253. A duplicate copy of this letter is enclosed.

Very truly yours,

A handwritten signature in black ink, appearing to be 'DM', written over the typed name of David R. Marsh.

David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HINKLE *et al.*

Appln. No.: 09/938,294

Filed: August 24, 2001

For Novel Plant Transcribed
Regions and Uses Thereof

Art Unit: 1645

Examiner: To Be Assigned

Atty. Docket: 16517.253



Response to Notice to File Missing Parts of Nonprovisional Application

Box Missing Parts

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted dated October 23, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts of Application – Filing Date Granted;
2. Copy of Combined Declaration and Power of Attorney for Patent Application, executed by Gregory J. Hinkle (3 pages);
3. Original Combined Declaration and Power of Attorney for Patent Application, executed by Jingdong Liu (3 pages);
4. Original Combined Declaration and Power of Attorney for Patent Application, executed by Linda T. Parker (3 pages); and
5. Check No. 147738 in the amount of \$1,206.00 to cover the application filing fee, additional claims fee, and surcharge for late filing of the declaration.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Date: December 20, 2001

ARNOLD & PORTER
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